IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 763 of 2006 (M/B)

Adesh Kumar S/o Prakash,
R/o Village & P.O. Ganjalpur,
District Bijnore (U.P.). ……. Petitioner

Versus

1. State of Uttaranchal,
through Home Secretary,
Secretariat, Uttaranchal, Dehradun.
2. Station House Officer,
Police Station Dalanwala,
District Dehradun.
3. Mr. R.K. Mehta, Principal,
DAV (PG) College, Karanpur,
P.S. Dalanwala, District Dehradun . ……. Respondents

Mr. Jitendra Chaudhary, Advocate on behalf of Mr. Vinod Sharma, Advocate for the petitioner.
Mr. D.K. Sharma, Government Advocate for respondents Nos. 1 & 2.
None for respondent No. 3.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. Jitendra Chaudhary, Advocate on behalf of Mr. Vinod Sharma, Advocate for the petitioner.

Mr. D.K. Sharma, Government Advocate for respondents Nos. 1 & 2.

None for respondent No. 3.

They are heard on admission.

2. Petitioner Adesh Kumar has filed this writ petition for the following reliefs:

> "I. Issue a writ order or direction in the nature of certiorari to quash first information report (Annexure No. 1) dated 27.5.2006, lodged with Case crime No. 166/2006 under section 420/467/468/471 IPC, Police

Station Dalanwala, District Dehradun lodged by respondent No. 3.

II. Pass any other and further order, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

III. Award and the cost of writ petition to the petitioner."

3. The petitioner is apprehending his arrest for his alleged involvement in Crime No. 166 of 2006 registered at Police Station Dalanwala, District Dehradun for the alleged commission of the offences punishable under Sections 420, 467, 468 and 471 of the I.P.C.

4. On the consideration of the submissions of the learned counsel for the parties; the contents of the First Information Report (Annexure No. 1) and the letter written by petitioner's Uncle Jagdish Singh (Annexure No. 6), we do not find any ground for grant of the reliefs sought by the petitioner in the writ petition.

5. The writ petition, therefore, is liable to be dismissed.

6. However, considering the fact that the petitioner is a college going student, we deem it proper to direct that in the event of arrest of petitioner Adesh Kumar by the police or his surrender before the court concerned, his bail petition shall be taken up for hearing in accordance with law without any undue delay.

7. With the above observation, the writ petition stands disposed of.

8. With the above order, CLMA No. 8007 of 2006 also stands disposed of.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C. J.)**

29.06.2006 29.06.2006

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